

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 16-CV-24922-MGC

JOSE ROSADO,

Plaintiff,

vs.

CITY OF MIAMI GARDENS,

Defendant.

DECLARATION OF JEFFREY MASON

I, Jeffrey Earl Mason, declare under penalty of perjury, as provided for by the laws of the United States of America, 28 U.S.C. §1746, that the following statements are true:

1. My name is Jeffrey Earl Mason, I am over the age of 21, *sui juris*, and not a party to this case.
2. The following statements are made based upon my personal knowledge.
3. I formerly served as a law enforcement officer for the city of Philadelphia from 1985 to 2007, when I retired as a sergeant.
4. I then served as a law enforcement officer for the city of Miami Gardens from on or about October 15, 2007, until June 2014.
5. I was hired as a sergeant and was a patrol supervisor for the Miami Gardens Police Department ("MGPD").
6. During my employment with MGPD, myself and other officers had been ordered by my white commanding officer Major Anthony Chapman to racially profile black males between the age of 15 and 30 without reasonable articulable suspicion of criminality and to take part in the unlawful practice of illegal stops, frisks, detentions, and

arrests being conducted against individuals based on their race and color.

7. MGPD officers were told that they would be evaluated based on their amount of “self-initiated” activity, which included having field interviews without the required reasonable suspicion or probable cause.

8. Additionally, due to a quota policy in the department that evaluated and rewarded an officer’s productivity based on the quantity of arrests, citations, and field contact reports submitted, instead of officers’ adherence to constitutional practices, involvement in the community, proximately led MGPD officers to engage in a pattern and practice of police misconduct resulting in countless race-based and/or national origin-based stops. During the course of these stops, MGPD officers have committed thousands of unconstitutional searches, seizures, and false arrests of African American residents in the community.

9. In many instances, MGPD officers have illegally and repeatedly stopped-and frisked, searched, seized, and arrested people of color from the community, including employees of the particular businesses even while the business owners were present and affirmatively requesting the officers not take any action.

10. Specifically, the MGPD has directly ordered its officers to stop-and-frisk black males, aged fifteen through thirty, without reasonable articulable suspicion of criminality. This directive was issued at roll call by then Major Anthony Chapman and ratified by then Deputy Chief Paul Miller who knew of this directive and did not countermand it.

11. Additionally, during this time period, it was commonplace for Major Chapman to make periodic visits to my roll calls. Major Chapman would repeatedly order the officers that they needed to be more specific when conducting their “F/I’s” (Field

Interrogations). Chapman said that he didn't want the "old man cutting his grass" to be stopped, but to concentrate on "black males between the age of 15 to 30 years old".

12. In the middle of 2013, I along with other concerned minority officers decided to form the "Concerned Black Police Officer's Association." Several meetings took place during the month of May and June of 2013. There were also residents of the community and a business owner who attended the meetings. It was recommended that our concerns, including the treatment of black police officers within the Department, be brought to the attention of the appropriate Assistant City Manager that was responsible for the Police Department.

13. On or about May 28, 2013, a meeting with Assistant City Manager Vernita Nelson was held with myself and other Black officers to discuss the above issues. Additionally, Ms. Nelson was provided with evidence from a business owner, Ali Saleh, who came forward with videos and documentation showing the MGPD's violation of the civil right of members of the community. For example, the officers would arrest Mr. Saleh's African American employees for allegedly trespassing on Mr. Saleh's property over and over. The officers would ignore Mr. Saleh and tell his customers to put down their things. Then the officers would take the customers outside and line them up against the wall. The customers were always black. The officers were almost always white. The officers pretty much left Mr. Saleh's other employees alone. His other employees were not black.

14. There is no question in my mind that MGPD engaged in a pattern and practice of racial discrimination that was urged, condoned, and rewarded by the highest levels of MGPD.

15. Towards the end of 2013, when the media began publishing stories of racial

discrimination in Miami Gardens, an officer named Jose Rosado approached me on at least a few occasions to discuss his concerns with the illicit policies he was being asked to enforce.

16. At that time, Jose Rosado and myself were members of a local 24-Fitness gym where we occasionally worked out at the same time.

17. Although I was not his direct supervisor, I suppose he approached me because I was a sergeant and because he was aware of my role in the Concerned Black Police Officer's Association.


18. He told me of his concerns with what he deemed were unconstitutional and racist policies at MGPD and he told me that he had also complained to other supervisors, but didn't seem to be getting anywhere.

19. In my subsequent conversations with supervisors, including Major Anthony Chapman, I expressed that Jose Rosado shared my same concerns about the unconstitutional and racist policies.

20. In my experience as a sergeant in MGPD, officers were routinely permitted to review available video footage prior to completing a use of force report, to the extent any video footage existed.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 17th day of November, 2017.


Jeffrey E. Mason